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**JOHNSON UTILITIES, L.L**

5230 East Shea Boulevard \* Scottsdale, Arizona 85255  
PH: (480) 998-3300; FAX: (480) 483-7908



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Arizona Corporation Commission

**DOCKETED**

January 10, 2007

JAN 10 2007

Mr. Brian Bozzo  
Compliance Section  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

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RE: Johnson Utilities, L.L.C.: Compliance with Decision No. 68237  
RE: Quarterly Reports on the status of the pending La Osa and Sonoran litigation  
WS-02987A-04-0288

Dear Mr. Bozzo:

Pursuant to the above referenced decision, Johnson Utilities hereby submits this compliance filing in accordance with the Commission's orders. Attached is the quarterly report on the La Osa litigation hereto as Attachment 1. As previously stated the Sonoran litigation has been settled with all Johnson defendants and this matter is closed.

If staff would like to see any of the court documents listed on the summary or would like any additional information in regards to this compliance item, please let me know and it will be provided. Thank you for your time and consideration in this matter.

Sincerely,

Daniel Hodges  
Johnson Utilities, LLC

Cc: Docket Control (1 original, 13 copies)  
Richard Sallquist, Sallquist, Drummond & O'Connor

AZ CORP COMMISSION  
DOCUMENT CONTROL

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# ATTACHMENT 1

Status Report for State of Arizona v. Johnson et al., CV2005-002692  
October 9, 2006 – January 9, 2007

Depositions: Depositions taken in this case from October 9, 2006 through November 29, 2006 were:

10/17/06	Robert Hartsel Lemons
10/23/06	Joel Dean Weiss
10/25/06	Mariano Lanza
10/26/06 Vol. 1	Michael Traubert
11/16/06 Vol. 2	Michael Traubert
11/20/06 Vol. 3	Michael Traubert
11/7/06	Brian Wakeling
11/8/06	Joan Scott
11/21/06	Gerry Perry
11/29/06	David Michael Conrad
11/29/06	Ronald Beckwith

Court Dates: The parties appeared before Judge Kenneth Fields on January 9, 2007 for an Interim Pretrial Management Conference.

Pending Motions: The following motions are pending:

Defendants' Motion for Summary Judgment regarding Plaintiffs' Clean Water Act Claims (Counts Six and Ten). On October 6, 2006 the Court granted Defendants' Motion for Leave to File a Motion for Summary Judgment on Counts Six and Ten. The parties have agreed to shelve the Motion for Summary Judgment pending the outcome of the United States Supreme Court's review of *Defenders of Wildlife v. Environmental Protection Agency*, 420 F.2d 946 (9<sup>th</sup> Cir. 2005).